



PATENT
P56103C

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

DOUGLAS E. TRENT *et al.*

Serial No.: 09/666,804

Examiner: BANGACHON, W.

Filed: September 21, 2000

Art Unit: 2635

For: PORTABLE SECURITY CONTAINER

PETITION UNDER 37 C.F.R. §1.102

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Technology Center 2600

Commissioner Patents
Washington, D.C. 20231
Attn.: Office of Special Programs

Sir:

Applicant respectfully petitions the Commissioner to designate the above-referenced application as "Special" in accordance with the *Manual of Patent Examining Procedure* (MPEP) §708.02 (I), and as reason therefore states that:

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I.D.: REB/kf

STATEMENT OF FACTS

1. The present application is assigned by the Applicant to MySpace, L.L.C., a corporation chartered in and existing under the law of the Commonwealth of Virginia, having the principal place of business at the primary business in Blacksburg, Virginia 24060, which is a manufacturer of sufficient presently available capital (approximately \$200,000.00) and facilities have long established relations with vendors and contract to manufacture the present invention in quantity if a patent is granted on the present application.
2. The Applicants have worked to develop and design prototypes of several constituent components for embodiments of the invention claimed; over the past four years MySpace, L.L.C. has spent about \$55,000.00 for wages, facilities, parts and materials, insurance and taxes, to research the invention claimed and to design, develop and build prototypes of the several constituent elements.
3. MySpace, L.L.C. will not manufacture unless certain that a United State's patent will be granted on the present application.
4. MySpace, L.L.C. obligates itself to manufacture the invention in the United States in quantity immediately upon the allowance of claims or issuance of a patent which will protect the investment of capital and facilities;
5. Applicants have made a careful and thorough search of the prior art, as evidenced by the Information Disclosure Statement filed on 6 June 2002, and have today updated that search and simultaneously file a *Second Information Disclosure Statement*, PTO-

1449 and relevant prior art references based upon that updated search of the prior art.

REMARKS

Pursuant to 37 C.F.R. § 1.102, as explained in § 708.02 of the *Manual of Patent Examining Procedure*, 8th Ed., August 2001, Applicants are entitled to have this application made special, by demonstrating the existence of a manufacturer which is to manufacture the present invention in quantity if a patent is granted.

Applicants and MySpace, L.L.C. have substantially completed the design, development and prototyping of a system capable of practicing the invention defined by the pending claims. It is necessary for Applicants and MySpace, L.L.C. to advance the prosecution and examination of their above-captioned U.S. patent application, without further delay in the U.S. PTO process, in view of the Applicants' and MySpace, L.L.C.'s commitment to the manufacture of embodiments, in quantity, of the claimed invention.

A fee of \$130.00 is incurred by 37 C.F.R. § 1.17(h) of \$130.00. Applicant's check drawn to the order of Commissioner accompanies this Amendment. Should the check become lost, be deficient in payment, or should other fees be incurred, the Commissioner is authorized to charge Deposit Account No. 02-4943 of Applicant's undersigned attorney in the amount of such fees.

RELIEF REQUESTED

The Commissioner is therefore, respectfully requested to:

- A. Grant this Petition and designate the accompanying application as "Special", and accelerate the examination of the accompanying application;
- B. Grant such other and further relief as justice may require.

Respectfully Submitted



Robert E. Bushnell

Suite 300
1522 "K" Street, N.W.
Washington, D.C. 20005
(202) 408-4090

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